

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

JAMES SIVAK,	:	Case No. 3:21-cv-318
	:	
Plaintiff,	:	
	:	
vs.	:	District Judge Michael J. Newman
	:	Magistrate Judge Peter B. Silvain, Jr.
	:	
RK HOLDINGS, LLP,	:	
	:	
Defendant.	:	
	:	

ORDER GRANTING PLAINTIFF’S MOTION TO SUBSTITUTE PARTIES

On February 3, 2023, counsel for Plaintiff James Sivak filed a statement pursuant to Fed. R. Civ. P. 25(a), notifying the Court and Defendant RK Holdings LLP, that James Sivak passed away on or about December 31, 2022. (Doc. #36). Plaintiff’s counsel then requested a 90-day stay of proceedings to determine whether the estate would continue the suit, which was granted by District Judge Newman. (Notation Order dated April 5, 2023).

On April 26, 2023, Plaintiff’s counsel filed a Motion to Substitute Parties (“Motion”), requesting that Brenda Sivak, the widow and executrix of James Sivak’s estate, be substituted as party-plaintiff in this matter. (Doc. #38). Defendant does not oppose this Motion.

Accordingly, Plaintiff’s Motion (Doc. #38) is **GRANTED** as unopposed, and the Clerk of Court is **DIRECTED** to substitute Brenda Sivak for James Sivak as Plaintiff in this matter.

IT IS SO ORDERED.

June 27, 2023

s/Peter B. Silvain, Jr.

Peter B. Silvain, Jr.
United States Magistrate Judge